

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

ROSLYN LA LIBERTE,

Plaintiff,

v.

JOY REID,

Defendant.

Civil Action No.: 1:18-cv-5398-DLI-VMS

Hon. Dora L. Irizarry

**PLAINTIFF'S INITIAL DISCLOSURES,  
AS SUPPLEMENTED**

Plaintiff Roslyn LaLiberte ("LaLiberte" or "Plaintiff"), by her attorneys, L. Lin Wood, P.C. and Olasov LLP, hereby provides the following Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1).

Plaintiff's Initial Disclosures are based on the information and evidence currently available to Plaintiff. Plaintiff reserves the right to amend and/or supplement her Initial Disclosures as a result of information discovered in her ongoing investigation into this matter. Further, Plaintiff's Initial Disclosures are made without waiving any right to demand production of additional information and documents not referenced herein, and to object to the production and/or admissibility of any document or information on any ground including, without limitation, the attorney-client privilege, work product doctrine, or relevancy.

**1. Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information.**

Individual

Roslyn LaLiberte  
% L. Lin Wood, P.C.

Subjects

Matters alleged in the Amended Complaint

Doug Codron  
[REDACTED]  
San Francisco, CA 94080  
818-[REDACTED]

Efforts to Obtain Retraction from Defendant  
Emotional and Financial Impact of defamation on  
Plaintiff and her family

Savannah LaLiberte  
[REDACTED]  
North Hollywood, CA 91601  
818-[REDACTED]

Emotional and Financial Impact of Defamation on  
Plaintiff and her family

Genevieve [last name unknown]  
310-[REDACTED]

Authentication of film of interaction of Plaintiff  
with Joseph (Joey) Luevanos and others at Simi  
Valley City Council meeting on June 25, 2018

Hal Eisner  
KTTV Fox 11  
[REDACTED]  
Los Angeles, CA 90025  
805-[REDACTED]

Authentication of television interview and related  
testimony

Elsa Aldguer  
[REDACTED]  
CA 91306-1146

Simi Valley City Council meeting on June 25, 2018  
and related testimony

Joseph (Joey) [REDACTED]  
[address and telephone no.  
currently unknown]

Simi Valley City Council meeting on June 25, 2018  
and related testimony

Joy Reid  
% Defendant's counsel

Matters alleged in Amended Complaint

**2. Provide a copy of, or a description by category and location of, all documents, data compilations or other electronically stored information, and tangible things in your possession, custody, or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information.**

All documents, videos and transcripts referenced in the Amended Complaint, to the extent in Plaintiff's possession, custody or control.

Documents constituting emails, texts and letters published or transmitted to Plaintiff in connection with, or otherwise relating to, Defendant's defamatory publications, to the extent in Plaintiff's possession, custody or control.

Certain business records of Plaintiff's closely held businesses, RC Associates, Inc. and RC Design Construction Associates Inc.

**3. Computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under [Rule 34](#) the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered**

Plaintiff objects to the foregoing item, to the extent that it calls upon Plaintiff to make a computation of *per se* damages for defamation, to which the Court of Appeals for the Second Circuit in *La Liberte v. Reid*, 966 F.3d 79 (2d Cir. July 15, 2020), held Plaintiff to be presumed on the basis of the allegations of the amended complaint. Such damages are determined by the finder of fact on trial on the basis of a totality of the facts established at trial, and are thus to be determined by the finder of fact and not “calculated” as such. *See, e.g., Cantu v. Flanigan*, 705 F. Supp.2d 220 (E.D.N.Y 2010). The Court of Appeals also held that Plaintiff had no obligation to plead or establish special damages as defined by California law in order to recovery compensatory damages.

Notwithstanding the foregoing, Plaintiff suffered special damages, within the meaning of California law, in the amount of (i) lost business from formerly recurring customers, (ii) the destruction of valuable business assets of Plaintiff, including its web site, and (iii) security expenditures to protect Plaintiff’s residential and business address from threats. The amount of such lost business has been preliminarily calculated to be at least \$1,043,114.69, based upon the loss of continuing clients with recurring needs and of a sales representative relationship. Attached as Exhibit A is a schedule identifying such losses by customer. The valuation of the destruction of valuable business assets and the expenditure of previously unnecessary security measures to protect plaintiff and her businesses are preliminarily estimated as not less than \$35,498.92, as scheduled in Exhibit B attached hereto. Plaintiff reserves the right to supplement or to make alternate calculations of special damages incurred by her.

Plaintiff identifies the following categories of damages that she claims in the present action:

- i. Compensatory damages for Plaintiff's actual damages, including *per se* damages as authorized by the opinion and mandate of the Court of Appeals and special damages as a result of Defendant's defamatory publications;
- ii. Punitive damages;
- iii. Attorneys' fees;
- iv. Costs and expenses of litigation.

**4. Attach for inspection and copying as under Fed. R. Civ. P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.**

Unknown to Plaintiff.

Dated: January 29, 2021

**L. LIN WOOD, P.C.**

By: /s/ Lucian L. Wood, Esq.

P.O. Box 52584  
Atlanta, GA 30355-0584  
(513) 381-2838

**OLASOV LLP**

By: /s/ David M. Olasov,

485 Madison Avenue, 7<sup>th</sup> Floor  
New York, NY 10022  
(212) 588-0540

*Attorneys for Plaintiff*



# **Exhibit A**

**(Plaintiff's Lost Profits through Closely Held Businesses)**



1. Installation of Security System at Plaintiff's Residence (and Place of Business)		\$3,830.40
2. Replacement of email addresses and related computer security activities		\$1,200.00
3. Change of façade and appearance of residence and office to protect against online disclosure of prior appearance, for security purposes	\$12,290.00	
	4,500.00	
	7,467.50	
	2,406.00	
	<u>3,406.00</u>	
		\$27,663.50
4. Replacement of mobile phones and telephone numbers following huge volume of abusive telephone calls, emails, and text messages		<u>\$398.92</u>
	<b>Total</b>	<b><u>\$35,498.82</u></b>

Invoices and statements supporting the foregoing expenditures are attached.

Dates	Customer/Representative	Work Address	Contract Amount	Commissions
2014 - 2018	Customer No. 1	to be provided	\$899,479.01	
2015 - 2018	Customer No. 2		\$669,188.00	
2014 - 2016	Customer No. 3		\$546,269.10	
2017 - 2018	Customer No. 4		\$878,687.83	
2017 - 2018	Customer No. 5		\$1,062,566.09	
2016 - 2017	Customer No. 6		\$484,002.80	
2014 - 2018	Customer No. 7		\$139,750.00	
2014 - 2018	Customer No. 8		\$127,542.00	
2015 - 2018	Sales Representative			\$177,767.42
	Gross Profit Rate		18%	
				Total Lost Profits

Lost Profit

\$161,906.22

\$120,453.84

\$98,328.44

\$158,163.81

\$191,261.90

\$87,120.50

\$25,155.00

\$22,957.56

\$177,767.42

\$1,043,114.69

# **EXHIBIT B**

**(Security and Related Expenditures)**



Page 2 of 2  
Spark® Visa Signature Business Account Ending in 4033  
Jun. 26, 2018 - Jul. 25, 2018 | 30 days in Billing Cycle

Transactions

Transactions Continued

ROSLYN LA LIBERTE #4033: Payments, Credits and Adjustments

Date	Description	Amount
Jul 13	PAYMENT	- \$7,808.10

ROSLYN LA LIBERTE #4033: Transactions

Date	Description	Amount
Jun 30	AT&T S621 4055WOODLAND HILLCA	\$108.24
Jun 30	AT&T S621 4055WOODLAND HILLCA	\$290.68

Redacted by  
counsel

\$398.92

Antonio Olmos				35469		
Date	Type	Reference	Original Amt.	Balance Due	7/16/2019 Discount	Payment
7/10/2019	Bill	4052	3,406.00	3,406.00		3,406.00
					Check Amount	3,406.00

New CHKG-3917

3,406.00

PRODUCT DLT103    USE WITH 91603 ENVELOPE    MCBEE To Reorder: 1-800-662-2331 or [www.mcbeeinc.com](http://www.mcbeeinc.com)


4642692401 



**Invoice**

Antonio Olmos  
 8536 Rubio Ave  
 North Hills, Ca 91343

Date	Invoice #
7/10/2019	4052

<b>Bill To</b>
Louie  Woodland Hills, CA 91367

Terms	Due Date
Monthly	7/10/2019

Item	Description	Amount
Plants	(8) 5 gallon Blue Glow Agave (\$62.00 each) \$496.00	2,423.00
	(3) 5 gallon Agave America (\$36.00 each) \$108.00	
	(2) 5 gallon Cereus Peruvianus (\$68.00 each) \$136.00	
	(3) 5 gallon Agave Attenuata Ray of light (\$48.00 each) \$144.00	
	(40) 1 gallon Succulents (\$9.65 each) \$390.00 <del>386.00</del>	
	(2) 15 gallon Nopal (\$78.00 each) \$156.00	
	(2) 5 gallon Star Jasmine (\$28.00 each) \$56.00	
	(2) 15 gallon Peruvian Apple Cactus (\$178.00 each) \$356.00	
	(1) 15 gallon Multi trunk Peruvian Apple Cactus \$383.00	
	(1) 7 gallon king cup Cactus \$198.00	
Drip System	(2) Filters & regulators emitters, couplings 1/2 inch solid tubing, 1/4 tubing Sprinklers for grass area	850.00
<b>Total</b>		
<b>Payments/Credits</b>		
<b>Balance Due</b>		

**Invoice**

Antonio Olmos  
8536 Rubio Ave  
North Hills, Ca 91343

*LANDSCAPE*  
*\$3,406.00*

Date	Invoice #
7/10/2019	4052

<b>Bill To</b>
Louie [REDACTED] Woodland Hills, CA 91367

Terms	Due Date
Monthly	7/10/2019

Item	Description	Amount
Gravel	3 scoops of gravel (\$85.00 each) \$255.00 weed barrier \$160.00 Staples \$68.00	483.00
Labor		650.00
Credit		-1,000.00

Date Received: 7/16/19 [Signature]  
Approved to Enter: 7/16/19 [Signature]  
Approved to Pay: 7/16/19 [Signature]

<b>Total</b>	<b>\$3,406.00</b>
<b>Payments/Credits</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$3,406.00</b>

Bradford Sheet Metal					35436	
Date	Type	Reference	Original Amt.	Balance Due	6/20/2019 Discount	Payment
6/19/2019	Bill	8056	2,406.00	2,406.00		2,406.00
					Check Amount	2,406.00

New CHKG-3917

2,406.00

PRODUCT DLT103    USE WITH 91603 ENVELOPE    MCBEE To Reorder: 1-800-662-2331 or [www.mcbeeinc.com](http://www.mcbeeinc.com)

4642692401 

Bradford Sheet Metal

\$2,406.00

4164 Sopp Rd  
Mojave, CA 93501

Phone #	(661) 886-3031
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## H Invoice

Date	Invoice #
6/19/2019	8056

Bill To

Koslyn's House

Woodland Hills, Ca. 91367

Project	Terms

☐ Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.

New e-mail address? Enter here: \_\_\_\_\_

Balance Due	\$2,406.00
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PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

Item	Description	Qty	Rate	Amount
Invoicing	remove 7 downspouts	7		
Invoicing	cover A/C line 20ft fab and install	20	50.00	350.00
Invoicing	cover solar line 20ft fab and install	20	9.00	180.00
Invoicing	cover phone line 14ft fab and install	20	9.00	180.00
Invoicing	Equipment cover stainless steel 6' long	14	9.00	126.00
Invoicing	chimney cap 2'X4' fabricate and install	1	400.00	400.00
Invoicing	chimney shroud 2'X4' fabricate and install	1	350.00	350.00
Invoicing	tub access cover fabricate and install	1	350.00	350.00
Invoicing	reinstall downspouts	1	50.00	50.00
		7	60.00	420.00
		Date	Initial	
		Date Received:	6/20/19	
		Approved to Enter:	6/20/19	
		Approved to Pay:	6/20/19	
		<div> <div>OK</div> <div>6/19/19</div> </div>		
Total			\$2,406.00	
Payments/Credits			\$0.00	
Balance Due			\$2,406.00	



**PERFECTION PAINTING**

3818 E. CORONADO ST.  
 ANAHEIM, CA 92807  
 (714) 961-0898  
 LICENSE #655275

*Our house***Invoice***Painting 4,500*

DATE	INVOICE #
06/07/19	43616

BILL TO: <i>ROSALYN'S HOUSE</i> [REDACTED] WOODLAND HILLS, CA 91367
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JOB NAME: [REDACTED] WOODLAND HILLS, CA
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TERMS
Net 30

DESCRIPTION
PREP AND PAINT COMPLETE EXTERIOR OF HOUSE INCLUDING METAL GATES AND PLANTER WALLS.

35420

Perfection Painting  
 Date 6/7/2019 Type Bill Reference 43616

Original Amt.  
4,500.00

Balance Due  
4,500.00

6/11/2019  
Discount  
Check Amount

Payment  
4,500.00  
4,500.00

New CHKG-3917

4,500.00

PRODUCT DLT103 USE WITH 91663 ENVELOPE MCBEE To Reorder: 1-800-862-2331 or www.mcbeelinc.com

4642692401



<b>TOTAL</b>	<b>\$4,500.00</b>
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Date: 7/11/2018 Work Type: Remote				
Date	Staff	Notes	Bill	Hours
07/11/2018	Radford, Dereck	<b>Service Ticket:</b> 1476880 <b>Summary:</b> On Site Visit Discussed with Roslyn about needing a technician onsite. After speaking with Sheldon, he can be onsite tomorrow at 10am.  Thanks, Dereck	Y	0.35
Invoice Time Total:			Billable Hours:	8.60



**Invoice Time Detail**

Invoice Number: LBB118135  
 Company: RC Associates

**Date: 6/30/2018 Work Type: After Hours**

Date	Staff	Notes	Bill	Hours
06/30/2018	Fonner, Jonathan	Service Ticket:1476151 Summary:Shut Down Email	Y	1.00
06/30/2018	Fonner, Jonathan	Service Ticket:1476151 Summary:Shut Down Email [REDACTED] com has been disabled. Thank you	Y	1.00

**Date: 7/9/2018 Work Type: Remote**

Date	Staff	Notes	Bill	Hours
07/09/2018	Perdomo, Luis	Service Ticket:1476338 Summary:On site Traveled TO RCA Assisted with Email setup Assisted with Banking issue Worked on website issue Will need to escalate website issue to Dereck Will continue working on Ipad from out office in the morning	Y	3.75

**Date: 7/10/2018 Work Type: Remote**

Date	Staff	Notes	Bill	Hours
07/10/2018	Perdomo, Luis	Service Ticket:1476338 Summary:On site Setup Ipad Talked to Roslyn and attempted to walk her through setting up email on phone Roslyn will be coming by later today to pick up Ipad and setup Iphone	Y	0.50
07/10/2018	Perdomo, Luis	Service Ticket:1476338 Summary:On site Looked into why iPad keeps wiping Called support Removed iPad from exchange account Factory reset it Roslyn and Louie came on site to finish setting up iPads Setup iPads Ensured that Louis Ipad would not Wipe again All iPads restored with no issues Tested RDP connection and all is good	Y	1.50
07/10/2018	Perdomo, Luis	Service Ticket:1476338 Summary:On site Called Roslyn Logged onto her PC via join. session Worked with her to locate missing emails We found she accidentally moved it the archive folder Restored all emails to the inbox  Ticket is now closed	Y	0.50



Discounts Subtotal: \$-400.00 \$0.00

**Permits:**

**Reinstatement Charges**

Past Due Amount \$0.00

Pre Pay Amount \$0.00

Install Taxes†	\$0.00
Monthly Taxes†	\$0.00
Total Savings Install	\$-490.00
Total Savings Monthly	\$0.00
TOTAL INSTALLATION PRICE*:	\$2,128.00
TOTAL MONTHLY SERVICE CHARGE:	\$64.99
DEPOSIT RECEIVED 07/02/2018:	\$212.80
REMAINING INSTALLATION BALANCE†:	\$1,915.20
TOTAL DUE AT INSTALLATION†:	\$1,980.19

*Paid 7/20/18  
w/ Capital One Visa*



**ADT Security Services. Providing rapid response and peace of mind, 24 hours a day.®**

\*Install and Monthly Taxes Amount, Amount Due at Installation and Balance Due are estimates; final amounts will

Home Security	Qty	Install	Monthly
<b>[L4 001] - Video Package:</b>	1	\$0.00	\$57.99
[3G4000RF-ADTUSA] - Cellguard for 1 Pulse		\$100.00	\$0.00
[IHUB BUNDLE] - Broadband External Gateway & Interactive Module	1	\$100.00	\$0.00
[RC8326] - 720P HD H.264 WIFI Indoor IP Camera, Cloud Link Enabled	1	\$50.00	\$0.00
[SWPCW6150C] - (RF) SWPro 3000 Control + Std. KP	1	\$149.00	\$0.00
QSP: [R-AddQSP-Included] - 0-17 zones	1	\$0.00	\$0.00
QSP: [N-AddQSP-7] - \$2,001-\$2,500	1	\$0.00	\$7.00
<b>Accessories:</b>			
[8VR1S7-0EN0] - Ring Video Doorbell	1	\$229.00	\$0.00
[MDC835] - Pulse Indoor/Outdoor HD Mini Dome Camera	5	\$1,445.00	\$0.00
<b>Solution Subtotal:</b>		<b>\$2,073.00</b>	<b>\$64.99</b>
<b>Additional Fees:</b>			
[APERMIT] - Municipal Police/Alarm Use Permit - Customer Responsibility	1	\$0.00	\$0.00
[CON] - Connection-Activation Fee	1	\$25.00	\$0.00
[LABOR] - Additional Labor	8	\$520.00	\$0.00
<b>Fees Subtotal:</b>		<b>\$545.00</b>	<b>\$0.00</b>
<b>Promotional Discounts:</b>			
Video & Vid Lite Level Upgr: \$49 install price for Gateway (and panel only if needed), & Camera + 15% off adds (up to \$240 add-on savings) (Tenure Req is 28+ Months)	1	\$-490.00	\$0.00

**Louie La Liberte**

**From:** ADT Security Services <ADT@business.adt.com>  
**Sent:** Monday, July 02, 2018 4:02 AM  
**To:** Louie La Liberte  
**Subject:** Your ADT Security Order Confirmations

Your order confirmation is here.



ADT Always There ®

**MATT NONEMACHER**

Custom Home Services Sales Rep



9201 Oakdale Ave, Suite 100  
Chatsworth, CA 91311

mnonemacher@adt.com  
C 626.278.1553  
O 818.929.3314

adt.com  
Lic # ACO 7155

Security Specialist  
**189293314**

# THANK YOU FOR YOUR ORDER

Dear Louie La Liberte,

Thank you for choosing ADT® Security Services. We are excited to welcome you into the ADT family.

Matthew Nonemacher, Security Specialist  
mnonemacher@adt.com  
1 8189293314  
ADT Security Services

Customer Information:

Louie La Liberte  
(818) [REDACTED]

Customer Account Number:  
[REDACTED]

Additional Contact Info:

**Your Local ADT Manager:**

David Corio  
dcorio@adt.com  
(818) 232-2599

Service Address:

[REDACTED]  
Woodland Hills, CA  
91367

CAMERAS - 3830.40  
ADT MONTH - 6.1 00